

AMENDED IN ASSEMBLY MAY 1, 2012

AMENDED IN ASSEMBLY APRIL 10, 2012

AMENDED IN ASSEMBLY MARCH 29, 2012

CALIFORNIA LEGISLATURE—2011–12 REGULAR SESSION

ASSEMBLY BILL

No. 2005

Introduced by Assembly Member Garrick

February 23, 2012

An act to add *and repeal* Section 8670.5.1-~~to~~ of the Government Code, relating to oil spills, *and declaring the urgency thereof, to take effect immediately.*

LEGISLATIVE COUNSEL'S DIGEST

AB 2005, as amended, Garrick. Oil spills: nontank vessels: contingency plans and financial responsibility.

The Lempert-Keene-Seastrand Oil Spill Prevention and Response Act generally requires the administrator for oil spill response, acting at the direction of the Governor, to implement activities relating to oil spill response. The act requires a nontank vessel to submit to the administrator specified documents and evidence of financial responsibility.

This bill would specifically require ~~an operator of~~, until January 1, 2015, a nontank vessel *within a specific range of gross tonnage* that is not used for commercial purposes to submit to the administrator, *at least 96 hours prior to the vessel's arrival in the waters of the state*, evidence of financial responsibility, payment of the applicable fee, and vessel particulars before the arrival of the vessel in the waters of the state, and to submit other required documents within 14 days after the arrival of the vessel.

This bill would declare that it is to take effect immediately as an urgency statute.

Vote: ~~majority~~^{2/3}. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 8670.5.1 is added to the Government
2 Code, to read:

3 8670.5.1. (a) Notwithstanding other provisions of this chapter
4 ~~or other law, a nontank vessel that is not used for commercial~~
5 ~~purposes and that weighs 300 gross tons or greater, but less than~~
6 ~~400 gross tons, shall, at least 96 hours prior to the arrival in the~~
7 ~~waters of the state of a nontank vessel that is not used for~~
8 ~~commercial purposes, the operator of the vessel shall, submit to~~
9 the administrator all of the following:

10 (1) Evidence of financial responsibility required pursuant to
11 Section 8670.37.58.

12 (2) Payment of the nontank vessel fee pursuant to Section
13 8670.41.

14 (3) The vessel's particulars, such as the size and dimensions of
15 the vessel.

16 (b) The operator of the nontank vessel that is not used for
17 commercial purposes shall submit other documents required by
18 this chapter within 14 days after the arrival of the vessel.

19 (c) *This section shall remain in effect only until January 1, 2015,*
20 *and as of that date is repealed, unless a later enacted statute, that*
21 *is enacted before January 1, 2015, deletes or extends that date.*

22 SEC. 2. *This act is an urgency statute necessary for the*
23 *immediate preservation of the public peace, health, or safety within*
24 *the meaning of Article IV of the Constitution and shall go into*
25 *immediate effect. The facts constituting the necessity are:*

26 *To ensure the orderly arrival of nontank vessels attending the*
27 *America's Cup event in the San Francisco Bay, it is necessary for*
28 *this measure to take effect immediately.*